

United States District Court  
(Southern - Western)

Edward Smith

V

Anthony J. Brigano

Civil Case No. 1:01 CV 814 SJD  
District Judge Susan J. Dlott  
Motion for Reconsideration  
6th Amendment U.S. Const.  
Ineffective Assistance  
of Counsel - Direct Appeal  
45th Amendment Claim

FILED  
JAMES BOYD  
CLERK

2004 SEP 21 PM 1:40

U.S. DISTRICT COURT  
SOUTHERN DIST OHIO  
WEST DIV CINCINNATI

Motion and Memorandum in Support

Now comes Edward Smith, petitioner, pro se, and hereby  
moves this Honorable Court to reconsider its decision denying  
the Petitioner for writ of Habeas Corpus on his 6th Amend-  
ment claim pertaining to his 45th Amendment direct appeal  
to the United States Constitution *Evitts v. Lucey* 469  
U.S. 387, 396, 105 S. Ct. 830, 83 Led 2d 821 (1985)

The Petitioner rely on the facts presented in his motion  
for reconsideration of his 45th Amendment claim to the  
United States Constitution, filed with prison officials for 1st  
Class postage prepaid, (Sept 13-04)

Proof of Service

I Edward Smith file motion with prison  
official 1st class postage prepaid to:  
Thelma T. Price 1154 OH. Att. General  
150 East Gay St. 16th Floor  
Columbus OH. 43215  
on this 16th of Sept. 2004

Respectfully Submitted  
Edward Smith, petitioner

Edward Smith, petitioner  
# 346-408 Warren Corr.  
Inst. P.O. Box 120 Lebanon, OH  
45036

Edward Smith, petitioner  
Edward Smith, Petitioner  
(Same Address as Above)